

# WHISTLEBLOWING PROCEDURE

## LIST OF REVISIONS - DOCUMENT STATUS

REVISION	DATE	DESCRIPTION
0		FIRST ISSUE

DRAFTING/REVISION	APPROVAL
FIRST VERSION - Law firm (Mazzanti law firm - Bologna)	Board of directors' resolution dated 12 December 2023

## TABLE OF CONTENTS

DEFINITIONS AND REFERENCES.....	3
1. INTRODUCTION.....	4
2. APPLICABLE LEGISLATION.....	4
3. SCOPE AND PURPOSE OF THE PROCEDURE.....	4
4. FORMS OF PROTECTION AND CONFIDENTIALITY OFFERED TO THE REPORTING PERSON AND THE REPORTED PERSON.....	5
4.1 Protection of the Reporting Person.....	5
4.2 Protection of the Reported Party.....	6
5.3 Confidentiality and privacy.....	6
4.4. Personal data processing.....	7
5. SCOPE OF APPLICATION.....	7
5.1 Parties to whom the Procedure applies.....	7
5.2 Matters to which the Procedure applies.....	7
6. THE REPORTING SYSTEM.....	8
6.1 Reporting Parties.....	8
6.2 Reported Parties.....	9
6.3 Reporting channels.....	9
6.4 Subject-matter and form of Reports.....	9
6.5 Prohibited Reports.....	10
6.6 Anonymous reports.....	11
7. MANAGEMENT OF REPORTS.....	11
7.1 Making and receiving a Report.....	11
7.2 Preliminary examination of the Report.....	11
7.3 Internal checks and investigations.....	13
7.4 Completion of the process and reporting to the senior management bodies.....	13
7.5 Eligible reports concerning senior management bodies and supervisory bodies.....	14
8.6 Filing and retention of the documentation relating to the Reports.....	14
8. BREACHES OF THE WHISTLEBLOWING PROCEDURE.....	14
COMMUNICATION AND TRAINING.....	15

## DEFINITIONS AND REFERENCES

- **ANAC:** Italian national anti-corruption authority;
- **Decree 24/2023:** Italian Legislative Decree n. 24 dated 10 March 2023, for the "*Transposition of Directive (EU) 2019/1937 of the European Parliament and the Council, dated 23 October 2019, concerning the protection of people who report concerns about breaches of Union law and providing for the protection of people who report concerns about breaches of national legislative provisions*".
- **BLUFIN S.p.A. or Company:**
- **Facilitator:** an individual who assists the Reporting Person during the whistleblowing process, who works within the same work-related context and whose assistance must be kept confidential.
- **Party tasked with managing the Report:** person formally appointed to receive the report and manage it in compliance with the instructions and precautions set out in this Procedure.
- **IT Platform (or Platform)<sup>1</sup>:** the IT tool used by the Company to receive and process whistleblowing reports; the Platform is accessible directly from the Whistleblowing section of the Company's website.
- **Reporting Person:** a natural person who reports information on breaches when such information is acquired in a work-related context.
- **Reported Party:** the natural or legal person referred to in a report (made internally) as a person to whom/which the breach is attributed or who is otherwise implicated in the breach reported;
- **Report:** the provision (either in writing or orally) of information about a breach through the internal reporting channels adopted by the Company.

---

<sup>1</sup> Web application called "Parrot Whistleblowing" developed by specialist external supplier Opticon Data Solutions S.r.l. and employed in Software as a Service ("SaaS") mode. The Platform is equipped with two encryption algorithms for both storage of the information in the database and the end-to-end connection between the Reporting Person and the server. All reports are encrypted using an AES algorithm with a 256-bit key. For queries concerning any of the Platform's technical features which are not expressly covered in this Procedure, please refer to the manuals provided by the supplier and any further documentation held by BLUFIN S.p.A.

## 1. INTRODUCTION

Decree 24/2023, which transposes Directive (EU) 2019/1937 of the European Parliament and the Council, concerning the protection of people who report concerns about breaches of Union law and providing for the protection of people who report concerns about breaches of national legislative provisions, completely restructured legislation applicable to the management of whistleblowing, resulting in complete and unified body of provisions.

More specifically, the recently introduced decree requires companies/organisations to set up a structured, formalised whistleblowing system, one key part of which is the establishment of internal reporting channels - managed internally by offices or specifically trained personnel within the organisation or by third parties outside the organisation - through which anyone who becomes aware of misconduct or a wrongdoing can raise their concerns in a Report. The system must also include a specific internal procedure governing organisational aspects and process features, to ensure proper management of the Reports.

Generally speaking, Reports can be sent via the internal channel either in writing, including online channels (e.g. the IT Platform) or orally (e.g. via dedicated phone lines). If requested by the Reporting Person, a face-to-face meeting with the Parties tasked with managing the Report must also be arranged.

In addition to internal reports, and subject to compliance with the specific conditions stated in arts. 6 and 15 of Decree 24/2023, the Reporting Person is entitled to use the external reporting channel set up by ANAC or to publicly disclose information about the aforesaid breaches (i.e. make such information public through either the press or online means with an extensive audience).

In compliance with the aforesaid legal requirements, BLUFIN S.p.A. has decided to use an IT Platform offering advanced security guarantees for the management of Reports. This platform allows people to send Reports to the Company safe in the knowledge that all the information will be kept confidential, including their identities, their personal data, and the content of the Report, in compliance with the provisions of applicable legislation on whistleblowing and personal data protection.

## 2. APPLICABLE LEGISLATION

- Italian Legislative Decree n. 24 dated 10 March 2023 for the "*Transposition of Directive (EU) 2019/1937 of the European Parliament and the Council, dated 23 October 2019, concerning the protection of people who report concerns about breaches of Union law and providing for the protection of people who report concerns about breaches of national legislative provisions*" (Decree 24/2023);
- Italian Law n. 179 dated 30 November 2017 containing "*Provisions for the protection of the parties reporting offences or wrongdoings which have come to their attention in a work-related context with the public or private sphere*";
- Regulation (EU) 2016/679 of the European Parliament and the Council dated 27 April 2016, concerning the protection of natural persons with regards to personal data processing, in addition to the free circulation of such data, which repeals Directive 95/46/EC ("GDPR")
- Italian Legislative Decree n. 196 dated 30 June 2003 and subsequent amendments and supplements thereto. ("Italian Data Protection Code");
- Italian Legislative Decree 231 dated 8 June 2001 containing provisions for administrative law liability of legal persons, companies, and associations, including those without legal personality.

## 3. SCOPE AND PURPOSE OF THE PROCEDURE

In order to effectively prevent and counter misconduct or wrongdoings, the Company has established an internal system for reporting breaches (a whistleblowing system) which complies

with the provisions of Italian Legislative Decree 24/2023.

To achieve this, the Procedure sets out:

- who the Procedure applies to, i.e. which parties can make a Report;
- what the Procedure applies to, i.e. the misconduct that can be reported;
- the ways in which a Report can be made;
- the role of the parties tasked with receiving Reports;
- the process for examining Reports;
- the forms of protection offered to Reporting Parties and Reported Parties.

The Company has authorised the Human Resources manager to take on and manage Reports pursuant to art. 4 of Decree 24/2023. In the event that the report concerns the Human Resources manager, the Company has authorised another Party to manage the Report.

#### **4. FORMS OF PROTECTION AND CONFIDENTIALITY OFFERED TO THE REPORTING PERSON AND THE REPORTED PERSON**

##### **4.1 Protection of the Reporting Person**

In order to ensure the internal reporting channel is used properly and effectively, BLUFIN S.p.A. guarantees the Reporting Person that their identity will be kept confidential; this measure also complies with personal data protection provisions set out in Regulation (EU) 2016/679 and Italian Legislative Decree 196/2003 ("Italian Data Protection Code"). The Company takes all necessary measures to prevent any form of retaliation linked either directly or indirectly to Reports made.

For example but not only, the following actions can be deemed retaliation:

- dismissal, suspension, or the like;
- being overlooked for promotion or being demoted;
- changes to duties or the workplace, pay cuts, and changes to working hours;
- negative comments or references;
- interrupting or restricting access to training;
- imposition of disciplinary measures or other penalties, including pecuniary penalties;
- coercion, intimidation, harassment, or ostracism;
- discrimination or otherwise unfavourable treatment;
- failure to convert a temporary employment agreement into a permanent employment agreement where the worker had a legitimate expectation of such conversion;
- failure to renew or early termination of a temporary employment agreement;
- injury, including injury to reputation, in particular on social media, or financial damage, including loss of income and loss of earning potential;
- wrongful inclusion in lists, on the basis of a formal or informal sectoral or industry agreements, which may prevent the person finding employment in the sector or industry in the future;
- early termination or cancellation of agreements for the supply of goods or services;
- cancellation of a licence or permit;
- being requested to undergo psychiatric or medical tests.

If such measures are taken, the documents used to apply them are deemed invalid; any dismissal ordered following and because of the Report will also be deemed invalid and the Reporting Person will be entitled to be reinstated in their position.

Any Reported Party who believes they have suffered any retaliation in relation to a Report can notify the Italian national labour inspectorate or ANAC, which will take the most appropriate measures within its scope of competence.

The protection measures provided for by Decree 24/2023 also apply:

- to Facilitators;

- to people from the same work-related context with a long-term emotional bond or a kinship relationship within the fourth degree with Reporting Parties;
- to co-workers in the same work-related context who have a current, habitual relationship with the Reporting Person, i.e. not including colleagues who may work with the Reporting Person sporadically or occasionally but those co-workers who are systematically present over a lasting period.

#### 4.2 Protection of the Reported Party

In order to prevent any misuse of the whistleblowing system and likewise libel, slander, or defamation that could harm the reputation of the person involved in the Report, in addition to discrimination, retaliation, or other disadvantages, this Procedure also envisages measures to protect the Reported Party.

One aspect of note is that in the event of a Report containing slander, libel or defamation, the Reporting Person will be held liable according to criminal law and disciplinary provisions.

If the Reporting Person is found liable for libel, slander, or defamation according to criminal law even in a first-instance ruling, or in the event that such offences are committed in a complaint made to the judiciary or audit authority, or if the Reporting Person is found liable according to civil law for the same offences due to wilful misconduct or gross negligence, the protection envisaged in Decree 24/2023 is not guaranteed and, furthermore, a disciplinary sanction is imposed on the Reporting Person.

The person accused of the breach can always contact the Party tasked with managing the Report to make a formal request to be heard or, alternatively, submit written briefs or other documents in their defence. The meeting with the Reported Party will be minuted and the minutes will be dated and signed by the Reported Party and subsequently archived by the Party tasked with managing the Report.

#### 5.3 Confidentiality and privacy

When managing Reports, BLUFIN S.p.A. guarantees the Reporting Person that their identity will be kept confidential, as will any other information which could reveal, either directly or indirectly, their identity. The identity of the Reporting Person will not be disclosed to any party without the whistleblower's express consent, except to those tasked with receiving and following up Reports.

The identities of the Reported Party and the people mentioned in the Report are likewise protected throughout any proceedings begun as a result of the Report and these parties are given the same guarantees as those given to the Reporting Person.

The duty of confidentiality concerning the Reporting Person's identity and information which could reveal their identity is not applicable in the following events:

- when the Reporting Person gives their express consent to reveal their identity to people other than those authorised to take on and manage the Reports;
- during criminal proceedings, once preliminary investigations are complete, unless the public prosecution department orders (setting out the reasons) that the investigation be kept confidential in the case of certain individual actions provided for by art. 329 of the Italian Code of Criminal Procedure;
- in proceedings before the Court of Auditors, until completion of preliminary investigations;
- in disciplinary proceedings when knowledge of this identity is indispensable for the defence of the Reported Party and the dispute is based, in whole or in part, on the Report, however, solely with prior express consent from the Reporting Person to the disclosure of their identity. In this case, should the Reporting Person refuse their consent, the information contained in the Report cannot be used for the disciplinary proceedings.

The Reporting Person is in any case informed, in writing, of the grounds for disclosure of the confidential data.

#### **4.4 Personal data processing**

The personal data of the Reporting Person, the Reported Party, and all the parties involved in the Report is processed in accordance with applicable personal data protection legislation (Regulation (EU) 2016/679 and Italian Legislative Decree n. 196/2003, as amended by Italian Legislative Decree 101/2018).

BLUFIN S.p.A. refrains from processing any personal data that is clearly not useful to manage a Report. If such personal data is collected accidentally, it is deleted immediately.

More specifically, with respect to the processing of personal data when managing a Report, it must be stressed that:

- the Reporting Person and the people involved in the Report will be informed, either at the time of the Report or when first contacted, about the processing of personal data pursuant to arts. 13 and 14 of Regulation (EU) 2016/679;
- the Report management procedure sets out personal data will only be processed if it is strictly necessary and in line with the purposes for which it was collected;
- As data controller, BLUFIN S.p.A. has adopted suitable technical and organisational measures to guarantee an appropriate level of security for the specific risks relating to the personal data processing performed in compliance with personal data protection legislation;
- the Company has designated specific parties to take on and manage the Reports, authorising them in writing pursuant to arts. 29 and 32. 4, GDPR and *2-quaterdecies* of the Italian Data Protection Code and appointing them as external managers pursuant to art. 28 of the GDPR;
- the rights provided for by arts. 15-22 of the GDPR by the Reported Party (i.e. the "data subject" pursuant to personal data protection legislation) may be limited if this could undermine the confidentiality of the identity of the Reporting Person. More specifically, it may not be possible to exercise the rights provided for by arts. 15-22 of the GDPR if the exercise of these rights could effectively undermine the confidentiality of the identity of the Reporting Person, for as long as is strictly necessary, pursuant to art. *2-undecies.1. f)* of the Italian Data Protection Code or during investigations for defence purposes connected to the management of the Report or for the Company to exercise a right in court, pursuant to art. *2-undecies.1. e)* of the Italian Data Protection Code.

## **5. SCOPE OF APPLICATION**

### **5.1 Parties to whom the Procedure applies**

This Procedure applies to all BLUFIN S.p.A. personnel, or to any individuals whose relationships with the company involve them being included in the framework of the company, not necessarily as an employee, as explained more specifically below. The provisions set out in this Procedure also apply to external parties that make Reports as specified in section 6.1. as well as (with regards to protection measures) the parties stated in section 4.1.

### **5.2 Matters to which the Procedure applies**

For the purposes of this Procedure, the following matters (for example but not only) may be reported:

- the material misconduct stated in Italian Legislative Decree 231/2001, which are referred to as predicate offences resulting in corporate liability;

- offences that fall within the scope of application of European Union or national acts concerning (for example but not only) public procurement, financial services, products and markets, prevention of money laundering and terrorist financing, transport safety, and environmental protection, public health, data protection, network and IT system security, etc.;
- acts or omissions which are detrimental to the financial interests of the European Union as stated in art. 325 of the TFEU (Treaty on the Functioning of the European Union);
- acts or omissions concerning the domestic market (as stated in art. 25 of the TFEU, including breaches of EU rules on competition and state aid, as well as offences concerning the internal market and linked to breaches of corporate tax rules or breaches committed to seek tax advantages by avoiding application of corporate tax legislation.

Matters cannot be reported through this channel if:

- the Report made is clearly not intended to protect the integrity of the Company or is clearly intended to protect solely the interest of the Reporting Person (e.g. claims against co-workers, superiors, etc.);
- the Report has clearly been made in bad faith or with the intention of harming or harassing the Reported Party);
- Reports containing unsubstantiated information or merely rumours (i.e. without supporting evidence).

These Reports do not fall within the scope of whistleblowing legislation and will therefore be filed once this has been established as a result of appropriate checks.

In the cases specified above, BLUFIN S.p.A. reserves the right to take the action deemed most appropriate to protect its interests and those of the Reported Party in terms of any liability of the Reporting Person, assuming the identity of the Reporting Person is known.

## **6. THE REPORTING SYSTEM**

### **6.1 Reporting Parties**

Reports can be made either by staff at BLUFIN S.p.A. or by external parties.

More specifically, pursuant to Italian Decree 24/2023, Reporting Parties include any parties whose relationships with the company involve them being included in the framework of the company, not necessarily as an employee.

More specifically, the system implemented by the Company is available to:

The provisions set out in this Procedure also apply to the following parties:

- self-employed workers, and independent contractors working in the ways envisaged in art. 409 of the Italian Code of Criminal Procedure; and to art. 2 of Italian Legislative Decree 81/2015;
- freelancers and consultants;
- volunteers and paid and unpaid trainees;
- shareholders on the board of directors, general managers, chief executive officers, power of attorney holders, members of the board of auditors;
- job applicants who become aware of a breach during the selection process or other pre-contractual activities;
- workers on a trial period;
- dismissed workers if the information about the breach was acquired during the employment relationship.

## 6.2 Reported Parties

The misconduct reported may concern members of the board of directors, the board of auditors, or employees (including senior managers), external workers providing services to the Company or third parties (e.g. agents, suppliers, consultants, customers etc.) bound to the Company by contractual relationships.

## 6.3 Reporting channels

In accordance with the provisions of art. 4 of Italian Decree 24/2023, BLUFIN S.p.A. has set up internal reporting channels that guarantee the Reporting Person, the Reported Party, and anyone mentioned in the Report confidentiality, and likewise the confidentiality of the contents of the Report and any attachments to it.

The internal reporting channels are managed by the Human Resources manager.

Reports can be made in writing via:

- the IT platform (preferred channel), which can be accessed from the whistleblowing section on the Company's website. The platform is highlighted as the main channel for sending Reports because the software offers end-to-end encryption tools and high security standards in order to guaranteeing confidentiality in terms of both the Reporting Person's identity and the contents of the Report;
- a confidential letter, which must be sent in a sealed envelope with recorded delivery service, to the firm at which the Party tasked with managing the Report works, namely:

*Studio Pedersoli &  
Associati, Via Abetone, 20  
41012 Carpi (MO)*

*BLUFIN S.p.A. -WHISTLEBLOWING REPORT*

In order for the Party tasked with managing the Report to file the Report and ensure confidentiality, the Report should be contained within two sealed envelopes: the first containing the Reporting Person's identification details and a photocopy of their identity document; the second containing the Report, in order to separate the Reporting Person's identification details from the Report. Both of these envelopes should then be inserted into a third envelope which must be sealed and marked with the words "Whistleblowing Report". This last aspect ensures that, should the Report be received by anyone not designated to receive it, it will be promptly sent on thereby to the person authorised to take up the Report and process it;

- Reports may also be made orally via the relative phoneline (059/695121, open from Monday to Friday from 10:00 to 12:00), or - at the request of the Reporting Person - at a face-to-face meeting, which must be arranged within a reasonable time.

The channels which the Company has set up protect confidentiality for the Reporting Person as they guarantee that information concerning the identity of the Reporting Person or of third parties will not be accessible and that the contents of the Report will not be disclosed to anyone who has not been formally authorised to manage the Reports according to this Procedure.

## 6.4 Subject-matter and form of Reports

The Reporting Person must provide all the information required to ensure that checks and investigations can be carried out to confirm the validity of the matter reported.

The Report must contain the following essential information:

- **Subject-matter:** a precise, detailed description of the concern raised and the conduct believed to constitute a breach, providing - if known - all the details and circumstances, including the time and

place where the matter concerned took place<sup>2</sup>;

- **Reported Party and other parties involved:** any information (e.g. general information, company department/role, etc.) needed in order to identify the alleged perpetrator(s) of the misconduct reported.

The Reporting Person must also include the following additional information:

- general information and type of relationship they have with the Company (e.g. employee, independent contractor, agent, consultant, etc.), unless the Report is anonymous;
- anyone else who can provide information about the matter reported;
- any supporting documents to substantiate the matter reported and to better circumstantiate the Report;
- any other information that could facilitate the collection of evidence about the matter reported.

If, during the investigation, the Reporting Person comes into possession of further information about the matter reported, they may provide this further information after making the Report.

Failure to meet one or more of the aforesaid mandatory minimum content requirements could result in the Report being filed.

In order to protect both the Reporting Person and the Reported Party, all the information provided in a Reported must be truthful.

During whistleblowing, the Reporting Person may be assisted by a "Facilitator", i.e. someone within their own workplace who provides them with advice and assistance. For example, the Facilitator may be a co-worker in a different department to the Reporting Person or a trade union representative, in which case, they will assist the Reporting Person in the name and on behalf thereof and without making any reference to the union.

Before making the Report, the Reporting Person must confirm that they have read a specific data protection policy pursuant to art. 13 of the GDPR.

Throughout Report management, the Company guarantees confidentiality for the Reporting Person and the people involved in the Report, as well as security designed to protect personal data.

## 6.5 Prohibited Reports

Reports must not contain abusive language or moral judgments intended to harm the Reported Party's honour and dignity and/or their professional reputation.

For example but not only, Reports must not:

- contain abusive or defamatory language;
- be made for purely libellous or slanderous purposes;
- concern aspects of the Reported Party's private life without any either direct or indirect relevance to or connection with the work carried out or services provided within the Company or third-party organisations/companies;
- be discriminatory in nature, i.e. making reference to sexual, religious, and political orientations or the racial or ethnic origin of the Reported Party;
- be clearly unfounded or made in bad faith, i.e. based entirely on claims of a personal nature and/or for personal reasons, for the sole purpose of harming the Reported Party.

If it is found that the previous provisions have been breached, disciplinary measures may be applied to the Reporting Person.

---

<sup>2</sup> When describing the matter concerned, a legal perspective of the event is not required as this would presuppose specific technical or legal knowledge; the legal aspects must be addressed by the parties authorised to carry out the investigations and, in the event, by any judicial or administrative authority which may subsequently be involved.

## 6.6 Anonymous reports

Reports which provided no information about the identity of the Reporting Person are considered anonymous.

Generally speaking, if an anonymous Report is received via the internal reporting channel, it must be treated in the same way as an ordinary Report, provided it is sufficiently circumstantiated<sup>3</sup>. More specifically, anonymous reports which contain the information stated above in section 6.4 will be taken into account and processed.

In any case, any anonymous Reporting Person who is subsequently identified and then reports retaliation as a result of the Report can benefit from the protection against retaliatory measures provided for by Decree 24/2023<sup>4</sup>.

## 7. MANAGEMENT OF REPORTS

Reports are managed through a process overseen by the BLUFIN S.p.A. Human Resources manager and consisting of the following steps:

- receipt of a Report made digitally, on paper, or orally;
- preliminary examination of the Report;
- internal checks and investigations;
- completion of the process and reporting to the general manager;
- filing and retention of the documentation relating to the Reports.

In the event that the report concerns the Human Resources manager, the Company has appointed another party authorised to manage the Report.

### 7.1 Making and receiving a Report

- **Making a Report:** following receipt of the Report, the Party tasked with managing the Report confirms to the Reporting Person that the Report has been taken into the system and will keep a specific record of it.
- **Checking the status of the Report:**
  1. Taken up: it is the responsibility of the Party tasked with managing the Report to reply to the Reporting Person and inform them of when the Report has been “taken up”, i.e. taken into the system, which must in any case take place within 7 (seven) days of receipt of the Report;
  2. Feedback on the Report: **within 3 (three) months** of the date of notification that the Report has been taken up, the Party tasked with managing the Report must inform the Reporting Person of the status of the procedure and any action that may have been taken;
  3. Report: closure: following the outcome of the investigations, the Party tasked with managing the Report provides final feedback to the Reporting Person and closes the Report.

### 7.2 Preliminary examination of the Report

The Party tasked with managing the Report will take up the Report within 7 (seven) days of the date they received it.

The Party tasked with managing the Report then carries out a preliminary examination of the Report received in order to establish whether it is founded and eligible.

If necessary, the Party tasked with managing the Report may request further information or documentation from the Reporting Person to support the Report in order to examine the matter reported more fully.

The Party tasked with managing the Report ensures management of the Report is monitored throughout the process.

---

<sup>4</sup> Cf. art. 16.4 of Decree 24/2023.

Reports are processed in chronological order based on their receipt by the Party tasked with managing the Report, unless a specific Report takes priority due to the particular serious or urgent nature thereof (e.g. the gravity of the misconduct reported, including current and potential consequences with particular significance for the Company, risk of the misconduct recurring, etc.). When managing the Reports received, the Party tasked with managing the Report acts with due professionalism and diligence, carrying out any activity deemed appropriate in compliance with this Procedure and applicable legislation.

If necessary for investigation purposes, the Party tasked with managing the Report can also - within the scope of their powers to act and control – make use of other company departments or external consultants, provided that the Reporting Person and the people involved in the Report are always guaranteed confidentiality and no information is provided that is not essential to investigate the matter reported.

Following the preliminary examination, the Party tasked with managing the Report proceeds by **classifying the Report** into one of the following categories, on the basis of which the Report is specifically processed:

- **Report not within the scope:** the Report refers to conduct, actions or events that do not constitute any of the predicate offences provided for by Italian Legislative Decree 231/2001 or any of the breaches of national or European Union regulations provided for by Decree 24/2023. If the Party tasked with managing the Report deems that the Report, while not relevant for the purposes of this Procedure and, therefore, not falling within the scope of a Whistleblowing Report, nevertheless contains detailed information from which wrongdoings or omissions may emerge, they will send the Report to the department responsible for dealing with the matter in question and/or to any other relevant company department, so that they can carry out the necessary checks.

In any case, the Party tasked with managing the Report is required to send the Reporting Person a notice setting out the reasons why the Report has been filed within 3 (three) months of receiving it.

- **Relevant but non-processable Report:** this occurs when the Party tasked with managing the Report has received a Report which is relevant for the purposes of this Procedure but, upon completing the preliminary examination and seeking further information, has been unable to collect sufficient details to be able to proceed with further investigations and establish the validity of the matter reported.

In any case, the Party tasked with managing the Report files the case and informs the Reporting Person in a notice setting out the reasons why within 3 (three) months of receiving it.

- **Prohibited Report:** in the event of receipt of Reports falling within the cases referred to in section 6.5, the Party tasked with managing the Report informs the general manager to establish where disciplinary action is needed against the Reporting Person (in the event that the Report comes from an employee of the Company or an independent contractor working for the Company), as well as to discuss the need to inform the Reported Party of the contents of the Report in question in order to allow them to exercise their rights of defence.

In the event, however, that the Report was made by third parties with whom/which the Company has contractual relationships (e.g. suppliers, external consultants/workers, sales partners, etc.), the Party tasked with managing the Report the general manager without delay so that any of the remedies provided for by the specific contractual clauses included in the relevant agreements (e.g. termination of the agreement and possibly compensation for damage) may be applied.

The Company is always entitled to apply to the judiciary to establish any criminal liability in the event of Reports of a defamatory, libellous, or slanderous nature, as well as any other liability, including civil and administrative law liability, that may emerge from the matter reported in a Prohibited Report.

- **Eligible Report:** in the event of Reports that are sufficiently detailed and fall within the scope of Whistleblowing Reports, the Party tasked with managing the Report **starts investigations**, as described in the following section.

Except in exceptional circumstances (in which case the reasons for which are provided), the Party tasked with managing the Report completes investigations into the Report within 3 (three) months of receiving it, providing the Reporting Person with adequate feedback on the status of the Report.

### 7.3 Internal checks and investigations

At the end of the preliminary examination, where the Report received has been classified as "eligible", the Party tasked with managing the Report starts internal checks and investigations in order to gather further information to establish whether the claims made in the Report are founded. If necessary in order to continue the investigation, the Party tasked with managing the Report reserves the right to request further information or documentation from the Reporting Person. In any case, the Party tasked with managing the Report maintains discussions with the Reporting Person, providing feedback on the progress.

As part of the investigations, based on the specific subject-matter of the Report, the Party tasked with managing the Report may seek assistance from other departments in the Company or external consultants.

The Party tasked with managing the Report may appoint external consultants to investigate the matter in more detail, taking care to:

- draw up a formal authorisation document setting out the scope of action and specifying the information they intend to obtain from the requested investigation;
- omit any information that could, even indirectly, identify the Reporting Person;
- omit any information about the Reported Party which is not strictly necessary in order to perform the assignment in question;
- remind the person tasked with the investigations of the confidentiality duty they are under with regards to the data processed.

### 7.4 Completion of the process and reporting to the senior management bodies

Once the preliminary investigations has been completed, the Party tasked with managing the Report is required to draft a specific report detailing the matter reported, the investigations carried out, and the evidence acquired (e.g. documentation, witness accounts, etc.) which substantiates the Report, as well as the results of the investigations and the conclusions reached as to whether or not the reported breaches have actually occurred.

If, at the outcome of the investigations and checks, the misconduct described in the Report is not confirmed, the Party tasked with managing the Report will file the Report and notify the Reporting Person.

If the **Report is deemed founded** and concerns employees of BLUFIN S.p.A. or independent contractors working for the Company, the Party tasked with managing the Report will forward the report to the general manager in order to establish whether disciplinary action is appropriate and/or to make the necessary reports to the competent authorities (judiciary, administrative law authorities, etc.). The general manager then promptly informs the board of directors (BoD).

In the event that the Report is deemed founded and concerns by third parties with whom/which the Company has contractual relationships (e.g. contractors/suppliers, external consultants, sales partners, etc.), the Party tasked with managing the Report informs the general manager without delay so that any of the remedies provided for by the specific contractual clauses included in the relevant agreements (e.g. termination of the agreement) may be applied and notifies the competent authorities thereof. After examining the documentation, the general manager advises the BoD of the action to be taken.

The decisions taken by the Company regarding the Reported Party are subsequently notified to the

Party tasked with managing the Report.

For further details about disciplinary proceedings and any penalties that may be imposed, please refer to the disciplinary system adopted by the Company or by the applicable national collective bargaining agreement (in the case of an employee).

Each year, the Party tasked with managing the Report sends the BoD a summary report stating the Reports received and processed, specifying the status of each one, and the measures taken in the case of Reports that have been fully processed.

In the notices sent by the Party tasked with managing the Report to the senior management bodies and company departments, the Reporting Person must always be guaranteed confidentiality regarding their identity and information whose disclosure is not necessary must be omitted.

### **7.5 Eligible reports concerning senior management bodies and supervisory bodies**

In the event that the Report is eligible and founded and concerns:

- the general manager: the Party tasked with managing the Report informs the board of auditors of the outcome of the investigations, in order to establish and coordinate the measures to be taken;
- the chair of the BoD: the Party tasked with managing the Report informs the other members of the board of directors and the board of auditors of the outcome of the investigations, in order to establish and coordinate the measures to be taken;
- a member of the BoD other than the chair: the Party tasked with managing the Report informs the chair of the board of directors and the board of auditors of the outcome of the investigations, in order to establish and coordinate the measures to be taken;
- a member of the board of auditors or one of the statutory auditors: the Party tasked with managing the Report informs the BoD.

### **7.6 Filing and retention of the documentation relating to the Reports**

The Reports and related documentation are retained by the Party tasked with managing the Report, in digital and/or paper format, in a dedicated folder with measures taken to prevent unauthorised persons accessing them.

The Reports and the respective documentation is retained for as long as is necessary to process the Report and in any case no longer than five (5) years after the date of notification of the final outcome of the reporting procedure, in compliance with the confidentiality duties stated in this Procedure.

The same retention period (no more than 5 years as of receipt) also applies to documentation concerning anonymous reports, so as to allow the Party tasked with managing the Report to trace the Reports if the Reporting Person, if subsequently identified, has suffered retaliation as a result of the Report.

When, at the request of the Reporting Person, the matter is reported orally during a meeting with the Party tasked with managing the Report, the Report is documented and recorded thereby (with the consent of the Reporting Person) on a media storage and playing device or by recording the conversation in the minutes. If minutes are drawn up, the Reporting Person checks - and where necessary - corrects the statements recorded in the minutes and confirms them by signing them.

## **8. BREACHES OF THE WHISTLEBLOWING PROCEDURE**

Any breach of this Procedure constitutes a disciplinary offence punishable by the Company in accordance with the provisions of the disciplinary system adopted by the Company or the applicable national collective bargaining agreement (in the case of an employee).

Any Report that turns out to be unfounded and is made with wilful intent or gross negligence may

also constitute a disciplinary offence punishable by the Company.

#### **9. COMMUNICATION AND TRAINING**

The Company undertakes to ensure the Procedure is made available to any parties which/who, while not present on the Company's premises, have a legal relationship with the Company; to this end, the Procedure is sent to all staff or is available on the company intranet.

The Company will provide training on the Procedure to all staff, in particular, those involved in the managing Reports.